
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

STEVE MAXFIELD, et al.,

Plaintiffs,

v.

DIEDRE M. HENDERSON, in her official
capacity as the Lieutenant Governor of the
State of Utah, et al.,

Defendants.

ORDER
1. SUPPLEMENTING ORDER TO
PROPOSE SCHEDULE AND
2. TO PREPARE FOR CASE
MANAGEMENT CONFERENCE

Case No. 4:23-cv-00112-DN-PK

District Judge David Nuffer
Magistrate Judge Paul Kohler

Because “the court and the parties [are] to secure the just, speedy, and inexpensive determination of every action and proceeding” and to fulfill the purposes of Rules 16 and 26 of the Federal Rules of Civil Procedure, this order:

(a) supplements the Order to Propose Schedule issued January 18, 2024 (docket no. 30) regarding the preparation of a schedule for the case; and

(b) gives instructions regarding preparation for a Case Management Conference.

IT IS HEREBY ORDERED:

1. **Initial Disclosures:** Each party shall make **initial disclosures** within 42 days after the first answer is filed. This deadline is not dependent on the filing of an Attorney Planning Meeting Report, the entry of a Scheduling Order, or the completion of a Case Management Conference.

2. **Recommended Schedule:** The parties are urged to propose a schedule providing for (a) timeframes as listed in Paragraph 5 of the Order to Propose Schedule and (b) filing, about eight weeks after initial disclosures, a deposition plan including names of deponents (or role, if

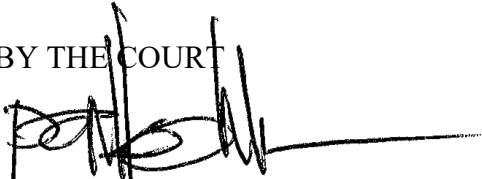
name is unknown), place, and date of deposition. This filing deadline should be added to the proposed scheduling order in Paragraph 3.a. The parties may amend the plan.

3. **Preparation for Case Management Conference:** Even if a stipulated scheduling order is submitted or entered, a Case Management Conference will probably be held. The purpose of a Case Management Conference is to engage in a meaningful, thorough discussion about the case which will include matters listed in Paragraph 4 of the Order to Propose Schedule. At this time when the case is new, much information may be unknown or uncertain, but exploration of those areas and of known information is important. Each party should be able to describe the crucial facts, primary claims, and primary defenses, in 5 minutes or less.

The parties must also be prepared to address the following questions, in addition to those raised by the Attorney Planning Meeting Report:

- a. Are any discovery issues, such as locations for depositions or deposition sequence, anticipated?
- b. What types of experts are anticipated in the case?
- c. What would be an optimum time for the attorneys and parties to confer regarding settlement? Would a facilitated discussion be best?
- d. Have the parties considered using the ADR resources, including settlement conferences, mediation services, and alternative resolution methods provided by the court?

Signed January 18, 2024.

BY THE COURT


PAUL KOHLER
United States Magistrate Judge